

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

---

CRUZ PILZ and RONALD PILZ,

Plaintiffs,

-against-

PELTON & CRANE,

Defendant.

---

**NOTICE OF  
DISMISSAL**

Civil Action No.: 1:09-cv- 1407  
(FJS/DRH)

(ECF CASE)

PLEASE TAKE NOTICE, that the plaintiffs, Cruz Pilz and Ronald Pilz, hereby dismiss the above entitled action *without prejudice* pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, permitting the dismissal by the plaintiffs, without a Court Order, by the filing of a Notice of Dismissal at any time before service by an adverse party of an Answer or a Motion for Summary Judgment.

Dated: February 3, 2010

**SCARZAFAVA & BASDEKIS, LLP**

/ s/ John Scarzafava, Esq.

Bar Roll Number: 102532

Attorneys for Plaintiffs

Office & P.O. Address


48 Dietz Street, Suite C

Oneonta, New York 13820

Tel No: (607) 432-9341

Email: scarzafavalaw@yahoo.com

SO ORDERED

  
FREDERICK J. SCULLIN, JR.  
SENIOR U.S. DISTRICT JUDGE

2/4/10